

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL BALL,

Defendant.

CR 23-82-GF-BMM-JTJ

AMENDED JUDGMENT

Defendant Michael Ball (Ball) appeared before the Court for his arraignment, change of plea hearing, and sentencing hearing on September 12, 2023. Ball entered a plea of guilty to the crime of Lacey Act False Labeling in violation of 16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(B). Ball's plea of guilty was made knowingly, intelligently, and voluntarily. Ball fully understood his constitutional rights and the extent to which such rights were waived by a plea of guilty. Ball waived his right to receive a pre-sentence investigation report.

Having considered the evidence, sentencing recommendations of the parties, and the sentencing factors in 18 U.S.C § 3553, the Court enters the following sentence:

1. Ball shall serve a 1-year term of probation.

2. While on probation, Ball shall comply with the following conditions of probation:

- a. Ball must not commit another federal, state or local crime.
- b. Ball must report to the United States Probation Office as directed.
- c. Ball must not knowingly leave the federal judicial district where he is authorized to reside without first obtaining the permission of the Court or the United States Probation Office.
- d. Ball must answer truthfully the questions asked by his probation officer.
- e. Ball must live at a place approved by his probation officer. If Ball plans to change where he lives or anything about his living arrangements (such as the people he lives with), Ball must notify his probation officer at least 10 days before the change. If notifying his probation officer in advance is not possible due to unanticipated circumstances, Ball must notify his probation officer within 72 hours of becoming aware of a change or expected change.
- f. Ball must allow his probation officer to visit him at any time at his home or elsewhere, and Ball must permit his probation officer to take any items prohibited by the conditions of his probation that his probation officer observes in plain view.
- g. Ball must work full time (at least 30 hours per week) at a lawful type of employment, unless his probation officer excuses him from doing so. If Ball does not have full-time employment he must try to find full-time employment, unless his probation officer excuses him from doing so. If Ball plans to change where he works or anything about his work (such as his position or his job responsibilities), Ball must notify his

probation officer at least 10 days before the change. If notifying his probation officer at least 10 days in advance is not possible due to unanticipated circumstances, Ball must notify his probation officer within 72 hours of becoming aware of a change or expected change.

- h. Ball must not communicate or interact with someone he knows is engaging in criminal activity. If Ball knows someone has been convicted of a felony, Ball must not knowingly communicate or interact with that person without first obtaining the permission of his probation officer.
- i. If Ball is arrested or questioned by a law enforcement officer, he must notify his probation officer within 72 hours.
- j. Ball must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
- k. Ball must not act or make any agreement with a law enforcement agency to act as a confidential human resource or informant without first obtaining the permission of the Court.
- l. If Ball's probation officer determines that Ball poses a risk to another person (including an organization), Ball's probation officer may require Ball to notify the person about the risk and Ball must comply with that instruction. Ball's probation officer may contact the person and confirm that Ball has notified the person about the risk.
- m. Ball must follow the instructions of his probation officer related to the conditions of his probation.

3. Ball shall pay a fine of \$15,000 on or before September 12, 2024.

Payment shall be made to the Clerk, United States District Court, Missouri River Courthouse, 125 Central Avenue West, Suite 110, Great Falls, Montana 59404, and shall be disbursed to:

Lacey Act Reward Fund
USFWS, Cost Accounting Section
P.O. Box 272065
Denver, Colorado 80227-9060

4. Ball shall make a community service payment of \$5,000 on or before October 12, 2023. Payment shall be made to the Clerk, United States District Court, Missouri River Courthouse, 125 Central Avenue West, Suite 110, Great Falls, Montana 59404, and shall be disbursed to:

National Fish and Wildlife Foundation
Attention: Chief Financial Officer
1133 15th Street NW, Suite 1100
Washington, D.C. 20005

5. Ball shall dispose of the nine Hawaiian and Stumberg sheep in his possession as directed by the United States Attorney's Office.

6. Ball shall pay a \$25 special assessment.

NOTICE OF RIGHT TO APPEAL

Ball is advised that, pursuant to 18 U.S.C. § 3742(h) and Federal Rule of Criminal Procedure 58(g)(2)(B), he has the right to appeal the sentence imposed in

this case to a United States District Court Judge within 14 days after entry of this Judgment.

The Clerk shall notify the parties of the entry of this Amended Judgment.

DATED this 25th day of September, 2023.



John Johnston
United States Magistrate Judge